

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 2/16/17	NEED RESPONSE BY: 2/24/17
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Los Angeles County	
3. PHONE NO.:	7. SUBJECT: Incarcerated Head of Household (Payee)	
4. REGULATION CITE(S): 63-300.5 (a)(2)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Case Scenario 1: CalFresh aided household of 2. Mom (payee) and child age 6. The Mom is incarcerated. No designated Authorized Representative or Alternate Card Holder. Received information about Mom through a CWD jail match.

Question 1: With this knowledge, is the CWD required to send a Request for Information (RFI) to the household to re-evaluate eligibility for the rest of the household members, since it appears that eligibility is now in question?

Question 1 (Part 2): If the household does not make contact with the CWD within 10 days of receipt of the RFI to resolve the questionable eligibility, is the CWD required to terminate the case at the end of the month, with 10-day notice, or allow the case to terminate at SAR 7 or Recertification, if the SAR 7 or RC is not completed? (continue on page 2).

10. REQUESTOR'S PROPOSED ANSWER:

MPP 63-300.5(a)(2), states that during the certification period, the CWD may obtain information about changes in a household's circumstances, other than information reported on the income report, through a third party or the household that the CWD cannot use to clearly determine eligibility and/or benefit amount. The CWD must pursue clarification using the following procedure:

(A) the CWD must issue a RFI which advises the household of the verification it must provide or actions it must take to clarify the household's circumstances.

(continue on page 2).

11. STATE POLICY RESPONSE (CFPB USE ONLY):

CDSS Response #1: Based on the information provided above, CDSS concurs with the proposed response.

CDSS Response #2: The CWD cannot automatically change the payee in the household. The CWD must allow the head of household to designate the boyfriend as the new head of household or allow the Mom to designate an emergency authorized representative for the household to obtain and use the benefits on the EBT card. MPP Section 63-402.5 states that the CWD shall permit the head of household to designate a responsible household member to serve as a head of household or designate an emergency AR to obtain and use the benefits in accordance with MPP Section 63-402.614.

FOR CDSS USE

DATE RECEIVED: 2/16/17	DATE RESPONDED TO COUNTY/ALJ: March 9, 2017 RA
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CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST:	NEED RESPONSE BY:
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION:	
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CDSS Response #3: The CWD must send notification to the household requesting clarification of the jail match and should request if the Mom would like to consider replacing her as the payee with her boyfriend and/or to designate an emergency AR. he CWD cannot automatically change the payee in the household. The CWD must allow the head of household to designate the boyfriend as the new head of household or allow the Mom to designate an emergency authorized representative for the household to obtain and use the benefits on the EBT card. MPP Section 63-402.5 states that the CWD shall permit the head of household to designate a responsible household member to serve as a head of household or designate an emergency AR to obtain and use the benefits in accordance with MPP Section 63-402.614.

Case closure is required to open a new case/new case number and the reason code could be that head of household is in a resident of an institution. If case closure is required, and no contact is made with the CWD within 10 days of notification, the case must be terminated for "Failure to provide information."

Question (continued):

Case Scenario 2: CalFresh aided household of 3. Mom (payee), child age 6 and boyfriend/or other adult (not spouse or parent). The mom is incarcerated. Designated or no AR or designated or no Alternate Card holder. Received information about mom through a CWD jail match.

Question: Can the CWD automatically change the payee to the other aided responsible adult (e.g., boyfriend/other adult)?

Case Scenario 3: Same as case scenario #2 above.

Question 1: Is the CWD required to send notification to the household to request the existing case be closed and a new case opened in the boyfriend's/other adult's name (not spouse or parent) with a new case number? (Note the communication with the household would be seamless to prevent a break in aid).

Question 1 (Part 2): If case closure is required to open a new case/new case number, what is the termination reason?

Question 1 Part 3): If case closure is required, and the household does not make contact with the CWD within 10 days of the notification being sent to the household to open a new case, is the CWD required to terminate the existing case at the end of the month, with 10-day notice, or allow the case to terminate at SAR 7 or RC, if the SAR 7 or RC is not completed?

Requestor's proposed answer to case scenario 1: The household must be sent a RFI to allow it the opportunity to clarify the questionable eligibility. If no response from the household is received within 10 days of the RFI, then the case will be terminated for "failure to provide information." If contact is made within 10 days the CWD must re-evaluate eligibility.

Requestor's proposed answer to case scenario 2: The CWD must be allowed to automatically change the payee to the other aided responsible adult on the case.

Requestor's proposed answer to case scenario 3: Opening a new case should not be required. The CWD must be allowed to automatically change the payee to the other responsible aided adult on the case to prevent burdening the household with making a new application. If case closure is required, and no contact is made with the CWD within 10 days of notification, the case must be terminated for "Failure to provide information." If contact is made within 10 days, the CWD must re-evaluate eligibility.